

REMARKS

Continued prosecution and consideration of the claimed subject matter in the above-identified patent application is respectfully requested.

Claims 9-29 were cancelled previously. Claims 1-8 are in the case and before the Examiner.

A. The Amendment

Applicant has amended the specification to include a notation of cross-reference to its U.S. Provisional Patent Application, upon which the present application is based. The underlying provisional application provides additional original disclosure that further enables the invention as claimed. This disclosure was inadvertently left out of the present application, however, Applicant notes that reference to the Provisional Patent Application was included in the Application Data Sheets filed concurrently with the present application. Further, Applicant notes that reference to the Provisional Patent Application was made in the present application's immediate sister application, such reference is included on the cover sheet of the issued patent therefore (U.S. Patent No. 6,648,639). No new matter has been added.

B. The ActionRejection Under 35 U.S.C. §112, First Paragraph

All of the claims have been rejected under 35 U.S.C. §112, first paragraph as allegedly not being enabled. More specifically, the Action asserts that the statement concerning an extraoral devise being similarly prepared for use in reshaping cranial bones etc. is an inadequate disclosure to enable a worker of ordinary skill in this art to make and use the claimed invention. This basis for rejection cannot be agreed with and is respectfully traversed.

It is earnestly believed that the device is well enabled within the disclosure filed as the present application and that the present amendment, which adds the disclosure of the provisional patent application upon which the present application is based, provides additional material that will assuage the Commissioner that the invention has been and is enabled. Applicant respectfully submits that this rejection should be withdrawn.

C. One Month Petition

Applicant encloses herewith a one-month petition of time and a check to cover the fee therefore, so as to, respectfully, provide adequate time to review and act upon this amendment and response.

D. Summary

Each basis for rejection has been dealt with and overcome or otherwise made moot. Applicant notes that the present application has been examined and searched and that no references which anticipate it or make it obvious have been found. It is therefore believed that this application is in condition for allowance of all of the claims. An early notice to that effect is earnestly solicited.

It is believed that no further fee or petition is necessary for this response and amendment. However, should any further fee be needed, please charge our Deposit Account No. 23-0920, and deem this paper to be the required petition.

The Examiner is requested to telephone the undersigned should any questions arise that can be dealt with over the telephone to expedite this prosecution.

Respectfully submitted,

By 
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CERTIFICATE OF MAILING

I hereby certify that this Reply and its enclosure are being deposited with the United States Postal Service as First Class mail, postage prepaid in an envelope addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 20, 2005.



Abby Boone